

## **APPENDIX 18—INFORMATION CONCERNING WILDERNESS STUDY AREA PROPOSALS WITHIN THE PLANNING AREA FOR THE JACK MORROW HILLS COORDINATED ACTIVITY PLAN**

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### **BACKGROUND**

During development of the supplemental draft Environmental Impact Statement (EIS) for the Jack Morrow Hills Coordinated Activity Plan (JMH CAP), the Wyoming Wilderness Coalition, following guidance in the *Bureau of Land Management (BLM) Wilderness Inventory and Study Procedure Handbook [H-6310-1]*, submitted a proposal for the designation of 10 new wilderness study areas (WSA) within the JMH CAP planning area (Map 18-1). While conducting the wilderness review and evaluation of these proposed areas, in accordance with H-6310-1, the BLM determined that only a portion of 1 of the 10 areas met the criteria for WSA consideration. This area was the Pinnacles Geographic Area (Map 18-2), which consists of approximately 8,950 acres. The Pinnacles Geographic Area was subsequently considered for WSA designation in both Alternatives 2 and 3 of the supplemental draft EIS for the JMH CAP; however, the Proposed JMH CAP did not propose WSA designation. Appendix 18 of the supplemental draft EIS further documented details on the location of WSA proposals submitted by the Wyoming Wilderness Coalition, the WSA inventory process under H-6310-1, and the results of the evaluations of the WSA proposals. In addition to the ten WSA proposals submitted by the Wyoming Wilderness Coalition, three additional proposals for WSA designation were submitted during the public review and comment period for the supplemental draft EIS (see Map 18-1).

### **SETTLEMENT DIRECTION FOR WILDERNESS STUDY AREA DESIGNATION**

In April 2003, during the public review and comment period for the supplemental draft EIS, settlement of a lawsuit over the designation of new WSAs on BLM-administered public lands in Utah (State of Utah v. Department of Interior, 2003) resulted in a change of direction on WSA designation. The settlement between the State of Utah and Department of the Interior acknowledged the following:

- The authority of BLM to conduct wilderness reviews, including the establishment of new WSAs, expired no later than October 21, 1993, with submission of the wilderness suitability recommendations to Congress pursuant to Section 603 of the Federal Land Policy and Management Act (FLPMA).
- BLM did not have authority to establish WSAs after October 21, 1993.
- BLM will not establish, manage, or otherwise treat public lands as WSAs or as wilderness pursuant to Section 202 of FLPMA. BLM will only manage or otherwise treat public lands as WSAs and congressionally designated wilderness as established under Section 603 of FLPMA.
- BLM will only apply the Interim Management Policy for Lands Under Wilderness Review (H-8550-1) to WSAs established under Section 603 of FLPMA.

As a result of the settlement direction, the information contained in Appendix 18 of the supplemental draft EIS will not be repeated in this final EIS document. The Pinnacles Geographic Area and the three new WSA proposals submitted during the supplemental draft EIS public review and comment period were not considered for WSA designation in this final EIS. Existing WSAs within the JMH CAP planning area, as discussed in Section 3.7.1 of the final EIS, were established under Section 603 of FLPMA and will therefore continue to be managed as WSAs under the Interim Management Policy for Lands Under Wilderness Review (H-8550-1).

## **RESULTING CHANGES IN WSA PROPOSALS FROM THE SUPPLEMENTAL DRAFT TO THE FINAL EIS**

### **Pinnacles Geographic Area**

The BLM conducted an evaluation and comparison of the management actions for the proposed WSA (the Pinnacles Geographic Area) in Alternatives 2 and 3 of the supplemental draft EIS and the management actions in Alternatives 2 and 3 of the final EIS (which do not propose WSA designation) for the same area. As part of the evaluation and comparison between the supplemental draft EIS and final EIS, BLM looked at resource values of the Pinnacles Geographic Area, (such as visual quality, watershed stability, recreational use, minimal landscape intrusions, and disturbances), and what management was necessary to protect these values. BLM reviewed all management actions under Alternatives 2 and 3 for all resource categories in Chapter 2 of the supplemental draft EIS to determine if it was necessary to keep all management prescriptions under Alternatives 2 and 3 the same in the final EIS. The following are the results of the evaluation and comparison:

- For the Pinnacles Geographic Area, the management prescriptions for Alternatives 2 and 3 remain the same between the supplemental draft EIS and the final EIS to protect the values of the Pinnacles Geographic Area and to meet the management emphasis of each respective alternative.
- No change in the wording of the Preferred Alternative in the supplemental draft EIS was necessary in developing the final EIS Proposed JMH CAP as a result of not proposing WSA designation for the Pinnacles Geographic Area. Both the Preferred Alternative and the Proposed JMH CAP are consistent with Memorandum No. 2003-195, No. 2003-274, No. 2003-275, and Departmental direction.
- There is no difference in the environmental impacts with regard to WSA designation between Alternatives 2 and 3 of the supplemental draft EIS and final EIS because there was no change in the management prescription for the Pinnacles Geographic Area; therefore, the NEPA requirements for the final EIS are appropriately met and a supplement to the supplemental draft EIS, due to not considering WSA designation in the final EIS, is unnecessary.

### **WSA Proposals Submitted During the Supplemental Draft EIS Public Review and Comment Period**

The three WSA proposals submitted during the comment period on the supplemental draft EIS were evaluated to assure that the management action prescriptions in the alternatives of the final EIS provide for appropriate management direction for the resources and land uses in those areas. The result of this evaluation showed that nothing has changed in two of the WSA proposals since 1984 when they were disqualified from WSA consideration in the initial wilderness inventory; and that the third proposal was not manageable as a WSA because of the amount and location of private and state lands included in the proposal. The majority of this proposal is within an existing Area of Critical Environmental Concern (ACEC) and receives special management attention. The management prescriptions in the Proposed JMH CAP of the final EIS, most of which are carried forward from the Preferred Alternative in the supplemental draft EIS, are appropriate and adequate to effectively manage the resource values in all three of these areas.

### **Other Considerations Concerning Areas Proposed for WSA Designation**

Because designation of WSAs on BLM-administered public lands can no longer be considered, other special management area (SMA) designations were considered on all 13 proposed WSA areas to protect primitive and unconfined type of recreational opportunities, solitude, naturalness, and other resource values. For an

area to be designated an SMA, the area must meet the appropriate criteria for that designation. For example, in considering any area for designation as an ACEC, the basis for such consideration is that the area must meet the ACEC relevance and importance criteria for the resources and land uses in the area.

Appendix 1 of the supplemental draft EIS identified the 1,340-acre Pinnacles Geologic Feature (Map 18-2) as meeting the ACEC criteria for both relevance and importance. This is still accurate; the Pinnacles Geologic Feature is proposed for ACEC designation, along with the related management prescriptions, in Alternative 2 of the final EIS. However, the area is not proposed for ACEC designation in the Proposed JMH CAP. The proposed management prescription for the area is sufficient to effectively manage the area, and special management emphasis or ACEC designation is unnecessary. The 12 other areas that were proposed for WSA designation were also evaluated for their resource values. Appropriate mitigation and management designations, including SMA designation, were considered during this process. The evaluation concluded that the appropriate portions of these areas are currently included in existing SMA designations and no further designations are necessary to provide effective management of resource values within these areas.